

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Court File No. 17-CR-135

Plaintiff,

v.

**DEFENDANT'S MOTION FOR
EXCULPATORY EVIDENCE**

Kelvin Baez (2),

Defendant.

Defendant, by and through his attorney, Patrick G. Leach, respectfully moves the Court for an order directing the attorney for the United States to provide to him evidence which exculpates him or tends to negate or reduce the degree of guilt within the meaning of Brady v. United States, 373 U.S. 83, 83 S.Ct. 1195 (1963) and United States v. Agurs, 427 U.S. 97, 96 S.Ct. 2392 (1976). Defendant further requests the attorney for the United States be required to provide to him evidence which tends to support any claim of coercion in regard to the acts attributed to this Defendant charged in the indictment. Such evidence includes but is not limited to the following which may be in the possession of attorney for the United States or the law enforcement agencies involved in this prosecution:

1. Any and all documents relating to prior criminal convictions of the co-defendants or the victim;
2. Any and all documents, reports, official statements regarding claims or charges of aggressive, assaultive, or coercive behavior on part of the co-defendants;
3. Any and all information, documentary or otherwise, which is in the possession of the attorney for the United States or with reasonable inquiry and due diligence made to other agencies of the United States;

4. Any and all materials which tends to impeach any witness for the United States including but not limited to the witnesses' record of convictions, admissible under Rule 609 of the Federal Rules of Evidence, and any prior inconsistent statements of that witness or statements of that witness inconsistent with other witnesses for the United States.

This motion is based on all files, records, and proceedings herein and the Fifth Amendment of the Constitution of the United States.

Dated: June 28, 2017.

LEACH LAW OFFICE LLC

/s/ Patrick G. Leach

Patrick G. Leach

Bar Number: 286825

Attorney for Defendant

Leach Law Office

6465 Wayzata Boulevard

Suite 115

St. Louis Park, MN 55426

Phone: (763) 220-6164

Fax: (763) 392-3454

pgl@leachlawoffice.com